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April 7, 2021

Via ECFS (Docket No. 20-445)

*Re: Emergency Broadband Benefit Program, WC Docket No. 20-445
Petition for Limited Waiver; Request for Expedited Grant*

SPITwSPOTS, Inc. ("SPITwSPOTS") requests, on an expedited basis, a limited waiver of the reimbursement rules for the Emergency Broadband Benefit ("EBB") program to allow our company to seek reimbursement for a 6 Mbps Internet service offering in addition to the company offerings that have been approved. Good cause exists for this relief, as shown below.

Background

SPITwSPOTS is a wireless broadband Internet Service Provider serving rural Alaska. SPITwSPOTS obtained FCC approval on March 12th, 2021 to participate in the EBB as an approved provider, USAC approved our company's election to participate in EBB on March 30th, 2021. Under the EBB program, participating providers like SPITwSPOTS are eligible to receive reimbursement for Internet service offerings offered in the same manner, and on the same terms, as described in any of the providers broadband Internet access service offerings to an eligible household as of December 1, 2020.¹

In filing its USAC election, SPITwSPOTS sought approval to apply the EBB to the following eligible service plans that were available to customers as of December 1, 2020: 3Mb, 10Mb, 18Mb, 50Mb, 75Mb, and 150Mb plans. Our company provided retail broadband Internet service as of the qualifying date, but one of our company's service plans, a 6 Mbps offering, was not included in the election request because the details and rates of that plan were not finalized as of that date. The plan involves the same basic service characteristics as our company's other plans, as outlined in our USAC election. Accordingly, our election request did not include a request for approval for reimbursement of that 6 Mbps service offering. As the company is working to roll out the program, we believe that the public interest would support treating this offering the same as our company's other offerings, as described below.

¹ *Emergency Broadband Benefit Program*, Report and Order, FCC 22-29 at para. 13 (rel. Feb. 26, 2021).

Request for Limited Waiver

SPITwSPOTS requests a waiver to allow it to apply EBB reimbursement to this 6 Mbps plan. The Commission's rules may be waived for good cause shown, and the Commission "may waive a rule where special circumstances warrant a deviation from the general rule, and such deviation will serve the public interest."² The Commission may also consider "hardship, equity, or more effective implementation of policy on an overall basis," and waiver of the EBB reimbursement rules has been granted previously.³

SPITwSPOTS seeks a limited waiver to support EBB reimbursement for its current 6 Mbps broadband Internet access service offering. Grant of this relief is in the public interest and would advance the goals of the EBB plan to help more Americans, particularly here in rural Alaska, have better access to affordable broadband. SPITwSPOTS offers EBB plans at both higher and lower speed tiers than the 6 Mbps tier that forms the basis of this waiver request.⁴ Our company believes that this 6 Mbps price plan would be optimal for many of our customers in terms of the combination of broadband speeds provided and the cost of service. This is the only plan for which SPITwSPOTS does not have EBB approval, and there is risk of customer confusion, and possibly frustration, by having this plan subject to different treatment under EBB than the other plans. Given that most of our customers live in extremely rural, hard-to-serve areas, grant of this relief would provide additional choices and benefits for closing the broadband gap in our communities. Accordingly, SPITwSPOTS requests a limited waiver to deem EBB-eligible a 6 Mb broadband Internet access plan at a \$69/month price point, with the plan to be offered without data caps and consistent with the terms set forth in our company's USAC election notice and other EBB-related filings with the FCC and USAC.

For the foregoing reasons, SPITwSPOTS submits that the requested limited waiver is in the public interest and would help to advance the goals of the EBB program. Please contact the undersigned with any questions regarding this request.

² *Emergency Broadband Benefit Program*, Order, DA 21-455, WC Docket No. 20-445 at para. 6. (granting to Verizon a limited waiver of the EBB program's reimbursement rules")

³ *Id.*

⁴ Our company offers a 3 Mb/1 Mb plan for \$59/month for Keep Alaska Connected Customers and a 10 Mb/3Mb plan for \$89/month. SPITwSPOTS proposes to offer the 6 GB plans at a price point between these two plans, for \$69/month.

Respectfully submitted,

SPITwSPOTS, Inc.

By: */s/ Aaron Larson*

Title: President